

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

LOUIS C. SHEDTIN	§	
a/k/a LOUIS C. SHEPLIN	§	
a/k/a WILLIAM A. METZ	§	
FED. REG. ID. 90355-024	§	
v.	§	C.A. NO. C-07-003
U.S. MARSHAL, S.D. TEXAS, ET AL.	§	

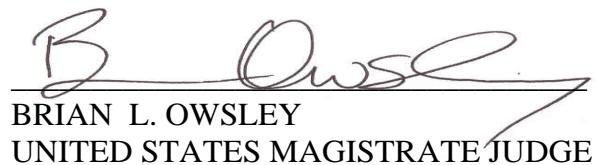
ORDER OF TRANSFER

This is a habeas action filed by a federal prisoner held at the Karnes County Correctional Center, which is located in Karnes City, Texas. (D.E. 2, at 1). On January 3, 2007, petitioner filed his habeas petition. He has neither paid the requisite \$5.00 filing fee, nor filed an application to proceed in forma pauperis. Accordingly, service of process has not yet been issued in this case. Moreover, in the interests of justice, transfer of this petition to a more appropriate district court for disposition of the issues is required.

A habeas action filed pursuant to 28 U.S.C. § 2241 must be filed in the district in which the petitioner is incarcerated. Lee v. Wetzel, 244 F.3d 370, 373 (5th Cir. 2001) (“the district of incarceration is the only district that has jurisdiction to entertain a defendant’s § 2241 petition”); accord Kinder v. Purdy, 222 F.3d 209, 212 (5th Cir. 2000) (per curiam). Petitioner asserts that he was convicted and sentenced on October 23, 1982 in the Eastern Division of the Northern District of Illinois. (D.E. 2, at 3). He is currently in custody in Karnes County, which is located in the San Antonio Division of the Western District of Texas. 28 U.S.C. § 124(d)(4). This Court does not have jurisdiction over petitioner’s habeas claim.

Accordingly, it is ordered that the Clerk of the Court TRANSFER this action to the United States Court for the Western District of Texas, San Antonio Division. Plaintiff is directed to submit either the \$5.00 filing fee, or a fully completed application to proceed in forma pauperis to the Western District of Texas. (D.E. 5).

ORDERED this 9th day of January 2007.



BRIAN L. OWSLEY
UNITED STATES MAGISTRATE JUDGE